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H A R R Y J. M C C A B E duly sworn for

DIRECT EXAMINATION BY MR. SIMPSON:

Q Where do you live, Mr. McCabe? A. Glen Ridge.

Q Glen Ridge? A. Glen Bridge.

Q Glen Bridge? A. Atlantic Bridge.

Q Spell that. Is it Landing Bridge?

A Landing Bridge, L-a-n-d-i-n-g Bridge.

Q Where is it located with reference to New Brunswick?

A Located right there between the light and the end of Buccleugh Park.

Q And what is it, a bridge over there? A. Sir?

Q What does it bridge, a river or a creek?

A Canal and river.

Q The Raritan canal?

A Delaware Raritan canal.

Q And what river? A. Delaware Raritan River.

Q How near is that bridge to Derussey's Lane, the crab apple tree?

A The crab apple tree, four tenths of a mile.

Q What were--were you on that bridge the night of September 14th, 1922? A. Yes, sir.

Q What were you doing at the bridge at that time?

A My job. I have to be there twenty four hours a day.

Q And what do you do there, what is your work?

A What do I do?

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Q What is your work?

A I tend the bridge there.

Q Open and close the bridge? A. Yes, sir.

Q Now, did you hear any shots while you were on duty that night? A. No, sir.

Q Well, what did you hear, if anything?

A Why, we went to bed at half past eleven that night and my wife called me about twenty minutes to twelve, she said she heard somebody screaming and I got up and went downstairs and it seemed over in the park when I first heard it and I walked down the road towards the entrance of the park and it stopped and I started back again and when I started on back again they started to scream the second time, and it seemed over towards Derussey's Lane, and then it stopped, I guess maybe it was three or four minutes, I don't know just how long, and it started the screaming, and I walked back up to the edge of the bridge and it stopped again, and I stayed there a while and it started to scream again, but the last scream was only one woman, a pitiful moan, more of a scream than a moan.

Q When you got near Derussey's Lane, how near were you to this crab apple tree?

A About four tenths of a mile from it.

Q When you heard this scream where were you standing?

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- 6 A At the end of the draw bridge.
- Q How near is that? A. Four tenths of a mile.
- Q What kind of screaming did you hear?
- A The first screaming I heard was two women, one sounded, I don't--I couldn't just tell you how it sounded, just like one was afraid, and the other woman was hollering.
- Q What? A. It seemed like they was afraid and hollering, afraid of something.
- Q A scream of fear you mean? A. Yes, sir.
- Q In what other way could you characterize the screaming?
- A Why, the last scream I heard seemed pitiful, seemed like something awful, terrible, something had happened, somebody had died.
- Q Was it a woman's voice?
- A A woman's voice, two women.
- Q When you say it was a scream, a scream or a screech?
- A Screeching, they were.
- Q As if somebody were hurt or dying?
- A As if something terrible had happened.
- Q That was the last you heard? A. Yes, sir.
- Q About what time did this cover, can you fix what time it began and finished?
- A Why, it was about twenty minutes to ~~eleven~~ twelve and I was upstairs in the bed when the city town clock struck twelve.
- Q That was the last of the screeching?

A That was the last of the screeching.

7 Q And it commenced at about what time?

A 10:20 Eastern standard time.

Q It began? A. Yes, it lasted about twenty minutes.

Q It began 10:20 Eastern standard time and lasted twenty minutes, that would be 10:40 Eastern Standard time?

A Yes, sir.

Q Now when you say the last one was a screech, of course it is hard to characterize it, whether it was a wail or screech or scream or what.

A Well, it just seemed to me thataway.

CROSS EXAMINATION BY MR. PFEIFFER:

Q Mr. McCabe, how long have you been working at this bridge job? A. Sir?

Q I say, how long have you been working at this bridge job?

A (No answer.)

Q You have been working all that time on the same job?

A You will have to speak a little louder.

Q Why, are you deaf? A. I have been since about three years now, a little over three years.

Q Your hearing was all right four years ago?

A Yes, sir.

Q And you have been working there about fourteen years, have you? A. I have been there since 1913, April ~~sixty~~ first, 1913.

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8 Q What is the matter with your hearing--what is the cause of your being deaf?

A Well, I don't really know. Dr. Sullivan said he thought it was catarrh, I had two operations on my nose, but it did not help any.

Q Now, Mr. McCabe in answer to Senator Simpson's question, you said your wife told you she had heard someone screaming. A. Yes, sir.

Q Did you hear them screaming in the first instance?

A My wife woke me up, I did not hear the first noise.
had

Q You ~~have~~ not heard it in the first instance?

A No, my wife woke me up, she was saying her prayers.

Q Which was it, did it wake her up, or was she saying her prayers? A. Eh?

Q You stated it was the screaming that woke her up.

A I said my wife called me when the screaming started.

Q Now, do you run your bridge upon standard time or day~~e~~ light saving time?

A We always use the standard time.

6 Q Eastern standard time. A. Yes, sir.

Q So that the clocks in your house were eastern standard time clocks. A. Yes, sir.

Q And how do you fix the time at about 10:20 standard time you heard the screams?

A Well, about.

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Q My question is merely how did you fix the time?

A My wife looked at the clock.

Q While you were both in bed?

A We were both in bed. We went to bed half past ten that night.

Q Half past ten standard time?

A Yes, that is half past eleven daylight time.

Q Was there any light in the room where you looked at the clock? A. There was a light when we went to bed.

I take the alarm clock with me upstairs.

Q When you woke up, I understand you to say you looked at the clock? A. I did not look at the clock from the time I went to bed until I got back, upstairs again.

Q And what time was it when you went to bed, when you looked at the clock? A. Half past eleven.

Q Half past eleven standard time?

A Half past.

Q Fast time? A. Half past ten eastern standard time.

Q In order to get this straight, it is half past ten standard time that you went to bed. A. Yes, sir.

Q And then you went upstairs and took your clock with you and took your clothes off and went to bed?

A Yes, sir.

Q You were in bed long enough to fall to sleep because you say your wife woke you up. A. Yes, sir.

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Q So that it was some time, some little time after 10:30 when your wife woke you up. A. Yes, sir.

Q Well, you testified on direct, as I understood, that you heard the first screams at 10:20, is that correct?

A 10:20, 10:20.

Q I think you so stated to Mr. Simpson.

MR. SIMPSON: He said 10:20 standard time he heard the first scream.

Q Now you say you did not go ups_tairs to bed until half past 10:00. A. Yes, sir.

Q And you took your clothes off, got in bed and went to sleep. A. Yes, sir.

Q And then your wife woke you up. A. Yes, sir.

Q And when your wife woke you up you did not look at the clock? A. I did not look at the clock, no, sir, I went right downstairs.

Q So you don't know what time your wife woke you up.

A I went right downstairs.

Q How far did you walk from the bridge, or from your house in towards the lane?

A I did not go in, not towards the lane. I went down the road to the entrance of the park, to the entrance of the park I should judge maybe it is 500 or 600 feet.

Q And was that five or six hundred feet nearer to the crab apple tree than when you were at your house?

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A No, sir.

Q Was it further from the crab apple tree or nearer to it?

A Further away from it.

Q I see, further--now, when you got down there and walked toward the park you heard some screaming?

A I heard the screaming, between the time I got out of bed I went downstairs and to the entrance of the park.

Q And you heard screams of two women.

Were the two women all of it?

A The first two screams I heard was from two women.

Q You were able to tell from the bridge that it was two women?

A. It was not the same woman.

Q Were you able to tell the direction from which the screams came?

A. Well, I can, yes, for instance---

Q I will reframe the question--- Did the screams seem to come from the direction of the Phillips farm?

A Not at first.

Q What?

A. Not at first.

Q And then the screams continued--did they get louder or less loud?

A. Well, the second one was not as loud as the first scream I heard.

Q The second time did you hear the screams of two women again?

A. Yes, sir.

Q Two different women screaming?

A. Yes, but they were off in a different direction, off towards the Phillips

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12 farm the second time I heard them.

Q You were not able to see anything at that time?

A No, sir.

Q Was the night pretty dark?

A Well, it wasn't so dark.

Q Did you see the moon that night?

A That I couldn't say.

Q Have you any recollection now that you saw the moon?

A What say?

Q Have you any recollection now that you saw the moon?

A No, I have not.

MR. SIMPSON: We can show that.

MR. PFEIFFER: You can show as to when
the moon rose.

Q Then after you heard the second set of screams you heard
a third scream which seemed to come from one woman only?

A Yes, sir.

Q Is that it? A. Yes, sir.

Q And is that the scream you referred to which you said
seemed to be pitiful? A. Yes, the last scream, like
something terrible had happened.

18 Q Was that scream as loud as the last one you had last
heard or less loud?

A Low and pitiful.

Q Sort of a moaning? A. Yes, sir.

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Q Did the persons screaming or moaning seem to be far from you? A. I couldn't say just how far, but my bridge runs this way (indicating) and it seemed to be right off the bridge like that (indicating). The second scream came right over apast Mr. Voorhis farm.

Q Then the other one.

A The first scream I heard seemed to be over the top of Mr. Voorhis' barn, in the back.

Q The second scream? A. The second scream seemed to be off in toward the crab apple tree.

Q And the moan, where did that seem to come from?

A That seemed to be off toward the crab apple tree.

Q Well, now, between the time you heard the second ^{set of} screams and the time you heard the moan, what did you do, did you stand still, or did you commence to walk?

A No, sir; the first scream I heard I walked, over to the entrance of the park, and it stopped when I got down there, and I started to walk back, and when I got back fairly towards the end of my bridge, they started again. That was the second. I stayed there and they stopped, and I was just about across the bridge again when I heard it again.

Q And your hearing four years ago on this night was perfectly good? A. Yes, sir.

Q If there had been any pistol shots coming from the scene

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of the murder, you would have heard them?

A Most likely. My wife was not asleep then. My wife says she didn't hear no shots either.

Q And you are positive that you did not hear any shots?

A Yes, sir.

MR. SIMPSON: No use to encumber the record with what his wife told him. I think that could be taken off the record.

MR. PFEIFFER: Take it off.

Q Mr. McCabe, did you say that Dr. Sullivan treated you for deafness? A. Yes, sir.

Q What Dr. Sullivan is that?

A On Paterson Street.

Q In New Brunswick? A. New Brunswick.

Q And when did you first go to him for treatment for deafness?

A In the latter part of December.

Q What year? A. 1922.

Q The latter part of December, 1922?

A It was either the latter part of December or January, I don't know which it was. I had a buzzing sound in my ear when it first started.

Q And that is the first time you consulted Dr. Sullivan with reference to your hearing?

A Yes, sir.

Q Then had you ever gone to other doctors concerning your

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hearing before going to Dr. Sullivan?

A No, after my sickness Dr. Runyon recommended to me to go to Dr. Sullivan.

Q Was Dr. Runyon the doctor who treated you during your sickness and as a result of your sickness your hearing became somewhat bad, so you asked Dr. Runyon, and he suggested that you go to Dr. Sullivan and you did?

A Yes, sir.

Q What was the sickness you had in 1922 for which Dr. Runyon aided you? A. It was more like the grippe. I was in bed for over two weeks, pretty near three weeks.

Q Now, when was this in 1922?

A Around about the latter part of December, about the middle of December, between the middle of December and the latter part of December.

Q I see. Just before you went to Dr. Sullivan?

A Yes, sir.

(At this point a recess was taken until 1:30)

-AFTERNOON SESSION-

COURT: The understanding is that Senator Simpson has offered to wait until Senator Case got here, but not knowing whether Senator Case intends to be here the case is proceeding.